

#7 DAC
2186Patent
Attorney's Docket No. 032001-011

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Christopher E. Phillips, et al.

Application No.: 09/679,398

Filed: October 3, 2000

For: HIERARCHICAL STORAGE ARCHITECTURE
FOR RECONFIGURABLE LOGIC
CONFIGURATIONS

Group Art Unit: 2186

Examiner: unassigned

RECEIVED
AUG 23 2001
OFFICE OF PETITIONSCOMMUNICATION IN RESPONSE TO DECISION
REFUSING STATUS UNDER 37 CFR 1.47(b)

Commissioner for Patents
Box DAC
Washington, D.C. 20231

Sir:

In response to the Decision Refusing Status Under 37 CFR 1.47(b) mailed July 12, 2001, and further to the telephone call made by the undersigned on July 19, 2001, to Beverly M. Flanagan in the Office of Petitions concerning the matters covered in the Decision, the undersigned herewith submits a Declaration showing the name, address and citizenship of the two inventors who have declined to execute the instrument and also showing the address and citizenship of Charles Fox, President and Chief Executive Officer of Chameleon Systems, Inc., who has executed the Declaration as 37 C.F.R. § 1.47(b) Applicant. This Declaration is believed to cure the defects of the previously-submitted Declaration as set forth in the Decision.

The petition for three-month extension of time which accompanied the Response to Notice to File Missing Parts of Application extended the term for response to and through April 29, 2001, which was a Sunday. Thus, the extension of time effectively extended the period for response to and through the following business day, Monday, April 30th, on which date the Response was mailed. It is therefore believed that a 3-month extension of time, and not a 4-month extension, was appropriate, and the small-entity fee for such three-month extension has been submitted.

Response to Decision Refusing Status Under 37 CFR 1.47(b)
Attorney's Docket No. 032001-011
Application No. 09/679,398
Page 2

The filing fee was not paid at the large-entity rate at the time of filing, as stated in the Decision. The filing fee was paid, at the small-entity level, concurrent with filing of the Response to Notice to File Missing Parts of Application, and such filing fee was correct. Accordingly, if the Deposit Account charges referred to in the Decision (page two, last full paragraph) have been applied, it is respectfully requested that these charges be reversed.

Since the new Declaration, here enclosed, complies with the requirements under 37 CFR 1.63 and 1.64, and has been signed by the Rule 1.47(b) applicant on behalf of the non-signing inventors, and further since it is believed that all matters pertaining to finances have now been dealt with, it is believed that a Decision granting 1.47(b) status to the subject application should be rendered and such is respectfully requested.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: _____

Joseph P. O'Malley
Registration No. 36,226
Redwood Shores, California Office
Tel: (650) 622-2333

P.O. Box 1404
Alexandria, Virginia 22313-1404

Date: August 16, 2001